

-----X	
JAMES MURPHY,	:
	:
Plaintiff,	:
	:
-against-	:
	:
FOGO DE CHAO 53 rd STREET, NEW YORK LLC,	:
	:
Defendant.	:
	:
	:
-----X	

	19-CV-10320 (PAE) (OTW)
	<u>CIVIL CASE MANAGEMENT PLAN</u>
	<u>AND SCHEDULING ORDER</u>

The Court is in receipt of parties' letter motion to move the initial pretrial conference on March 25, 2020 at 11:00 am to a telephonic conference. (ECF 25). After review of the pleadings and parties' Rule 26(f) report (ECF 16), the following scheduling order is entered pursuant to Rule 16 of the Federal Rules of Civil Procedure:

Discovery. All fact discovery shall be completed by **July 6, 2020**. **No in-person depositions shall take place on or before April 30, 2020**, absent a showing of exceptionally good cause. For depositions planned on or after May 1, 2020, parties shall submit a joint status letter with deposition plan(s) **fourteen (14) days** before the planned deposition(s).

Discovery Disputes. The parties are required to follow the Court’s Individual Practices when seeking Court intervention on discovery disputes. See <https://nysd.uscourts.gov/hon-on-a-t-wang>.

Consent to Proceed Before the Magistrate Judge. The parties shall discuss whether they consent to conduct all proceedings, including a trial, before the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(c). If all parties consent, they shall complete the Consent to Proceed Before a U.S. Magistrate Judge form available on the Court's website at <https://nysd.uscourts.gov/hon-ona-t-wang> and file such form with the assigned District Judge.

The Centers for Disease Control and the World Health Organization have advised people to take precautions regarding the COVID-19 pandemic, and the Chief Judge of this Court has entered standing orders regarding the same. *See, e.g.*, 20-MC-155. In order to protect public health while promoting the "just, speedy, and inexpensive determination of every action and proceeding," Fed. R. Civ. P. 1, it is hereby ordered that counsel shall conduct work remotely. This includes, but is not limited to, client meetings, work meetings, and hand deliveries of courtesy copies to the Court (courtesy copies can be sent via email or mail).

Nothing in this Order prevents the parties from seeking to further modify the pretrial schedule in light of the COVID-19 pandemic (or for any other good cause). Before seeking such relief, the parties must, as always, meet and confer (via remote means) in a good faith effort to reach agreement on how best to fulfill the goals of Rule 1 while avoiding unnecessary health risks.

If any party or counsel has any private, personal, familial or medical concerns that they need to share with the Court that would necessitate further orders, they may email

Wang_NYSDChambers@nysd.uscourts.gov *ex parte* provided that they advise the other parties that they will be contacting the Court *ex parte*.

The Clerk of the Court is directed to close ECF 25.

SO ORDERED.

Dated: March 24, 2020
New York, New York

s/ Ona T. Wang

Ona T. Wang
United States Magistrate Judge